

Public Hearing February 23, 2009  
COMMITTEE ON APPROPRIATIONS  
TESTIMONY REGARDING THE COMMISSION ON CHILD PROTECTION

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Dear Members of the Appropriations Committee:

The following testimony is in support of the proposed budget appropriation for the Commission on Child Protection, as specified by the Chief Child Protection Attorney, Carolyn Signorelli. I contracted, for the past two years, with the Commission on Child Protection to provide legal representation to children and indigent parents in Juvenile Court cases initiated by the Department of Children and Families (DCF). The Commission on Child Protection, since its inception in July, 2006, has managed state contracts with private attorneys in Juvenile Court child protection cases and Family Court contempt matters with a fraction of the staff that was previously dedicated to these tasks by the Judicial Branch. I want to emphasize the importance of another crucial aspect of the Commission's mission, which is being thoroughly and deliberately executed – the implementation of litigation support systems and continually updated training seminars for the contract attorneys. The quality of legal representation provided by myself and my colleagues has been increasingly augmented by this support and ongoing education.

Child welfare law is a complex field covering many other specialized professional spheres including child and family psychology, educational advocacy, and treatment of substance abuse, mental health issues, and domestic violence. The Commission works diligently to ensure that the new contract attorneys are acquiring a competent understanding of these areas, as well as providing tools for attorneys to maintain a working knowledge of all legal developments in child welfare law. Without this free support and training, it would not be possible for private attorneys, such as myself, to continue to provide the same quality of legal services to children and parents at the current contract rate of \$40 per hour. The litigation expenses, consulting costs, and training fees would prevent us from performing our jobs in accordance with the minimally acceptable standards of representation.

The Commission on Child Protection currently facilitates a 3-day mandatory training program for all new attorneys that are appointed child protection contracts. Frequent seminars are also facilitated to keep the attorneys up to speed on the myriad of constantly developing issues and

disciplines which comprise child welfare law. This is important work which ideally calls for a corp of attorneys who specialize in this field. We represent children who are being removed from their families, sometimes for insufficient reasons. We represent children in foster care, some of whom have languished in the system for far too long and are not receiving a full array of necessary services. The adversarial nature of child protection litigation ensures that DCF's position is advocated for by the Attorney General's Office. Feelings of resentment and disenchantment with the foster care system are less likely to be felt by children and teenagers who are confident that their voices are being zealously and competently advocated for in the courtroom. When DCF is held accountable, appropriate treatment plans and specific steps are followed and courts are able to have access to all pertinent information about a family, as opposed simply to DCF's version of events. When the appropriate treatment is offered to children and parents in a timely manner, then families are put back together, and the state saves money in the long-run.

In many of my cases, the tools and training provided by the Commission on Child Protection have allowed me to fight for and achieve better outcomes for the children and parents that I have represented. In one instance, the Chief Child Protection Attorney approved the hiring of an independent psychiatric evaluator whose opinion was ultimately adopted by DCF and the Court, allowing my child-client to be raised by an out-of-state relative instead of being bounced around multiple foster placements as she had been in the past. On another occasion, the Commission permitted me to hire a medical doctor who testified that a specific medical treatment, sought by a 16-year in foster care, would have been more beneficial than the course of treatment chosen by DCF. Unfortunately, this poor teenager died weeks later, before a final decision was reached. But at least this teenager's voice was heard and she had hope that her opinion would not be silenced. In another case, knowledge that I acquired at a training session allowed me to move quickly to take steps necessary to ensure that a young pregnant rape victim could not be deported due to her alien status.

The Commission on Child Protection provides many other indispensable services, such as advocating for a higher rate of pay to attorneys who become nationally certified as child welfare law specialists and collaborating with other agencies to improve our child protection system. I have seen firsthand how the Commission has improved the lives of children and families through more competent legal representation. Therefore, I urge this Committee to support the proposed budget appropriation recommended by the Chief Child Protection Attorney.

Sincerely,  
Michael D. Perez